

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

UNITED STATES OF AMERICA,

No. 2:16-cr-3

Plaintiff,

Abingdon, Virginia

vs.

September 7, 2016

11:19 a.m.

JAMES MONROE COX,

Defendant.

TRANSCRIPT OF MOTION HEARING/GUILTY PLEA
BEFORE THE HONORABLE PAMELA MEADE SARGENT
UNITED STATES MAGISTRATE JUDGE.

APPEARANCES:

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Proceedings recorded by FTR; computer-assisted transcription.

1 (Call to Order of the Court at 11:19 a.m.)

2 THE COURT: Good morning.

3 The Court has before it this morning the case of the
4 *United States of America versus James Monroe Cox*. It is Case No.
5 2:16-cr-3. Mr. Cox is the only defendant in the case.

6 Mr. Cox and his counsel are before the Court today, as
7 well as counsel for the government, related to a motion to withdraw
8 filed by his counsel, Ms. Dickenson. It is docket item number 45.
9 Mr. Cox is set for a jury trial in November. His case had
10 previously been continued and is now set for the November date. I
11 have it set for November 7 and 8. It has been transferred to Judge
12 Urbanski. That is why it was continued until that date. And
13 Ms. Dickenson has now filed the motion.

14 Ms. Dickenson, do you have any other argument or evidence
15 you wish to present on the motion? I have read the motion. And my
16 understanding is that you received a letter from Mr. Cox requesting
17 that you withdraw from his representation; is that correct?

18 MS. DICKENSON: That is correct, Your Honor.

19 THE COURT: And therefore you filed the motion.

20 MS. DICKENSON: Yes.

21 THE COURT: Based on your motion, it appears that you
22 have concerns about whether or not the defendant has any further
23 confidence in you, but you do not state that you know of any
24 reasons why you and/or your office cannot fully and adequately
25 represent the defendant.

1 MS. DICKENSON: That's correct, Your Honor.

2 THE COURT: All right.

3 MS. DICKENSON: And in speaking with Mr. Cox at the jail
4 a few days ago and most recently this morning, I gather from
5 Mr. Cox that he does not wish for me to withdraw; that he would ask
6 the Court that the motion to withdraw be declared moot. But I
7 would ask the Court to question Mr. Cox regarding that.

8 Additionally, Your Honor, Mr. Cox has indicated to me
9 this morning that he desires to enter a guilty plea and that he is
10 requesting that he be allowed to do that today.

11 THE COURT: Okay.

12 MS. DICKENSON: And this is a sea change, Your Honor,
13 from my last conversation with Mr. Cox, so I do have some concern
14 about the change in his view of the case. So I would ask the Court
15 to inquire of Mr. Cox as to this --

16 THE COURT: Well, Mr. Cox, if you'll stand, please, so I
17 might address you.

18 Mr. Cox, is it your desire now that Ms. Dickenson
19 continue to represent you in the case?

20 THE DEFENDANT: No, ma'am, I would rather represent
21 myself, with her along, because -- I don't want to plead out
22 -- plead guilty. So -- and there's enough evidence -- I read the
23 motion for discovery, so there's no need for an attorney
24 furthermore.

25 THE COURT: Well, Mr. Cox, you may be competent to go

1 forward not represented. That may be a possibility. Okay?

2 THE DEFENDANT: They did an evaluation. They found me
3 competent.

4 THE COURT: Exactly. But if I were to relieve
5 Ms. Dickenson and allow you to represent yourself, there's a
6 separate inquiry I have to go through. Okay? Before I go to the
7 trouble of doing that, however, what I would like to say to you is
8 this. The charges you face are serious charges. I urge all
9 defendants who come before me, when they face charges that are
10 likely to result in a period of incarceration, as yours are -- they
11 are felony charges -- I urge all defendants to be represented.
12 Okay?

13 Now, you can continue to be represented and plead guilty.
14 All right? The one choice that you have that is your choice
15 entirely, okay, in the presentation of your case is how you plead.
16 All right? If it is your desire to plead guilty to the charges you
17 face, then you may do that and we'll schedule you for a guilty plea
18 hearing.

19 What I would urge you, though, is that you should
20 continue to be represented, because there could be some
21 unanticipated issues with regard to your sentencing that the
22 assistance of counsel could be needed on. Sentencing in the
23 federal courts now is a complicated process. We have the federal
24 sentencing guidelines. They must be considered, but they are not
25 mandatory. Calculations under the sentencing guidelines with

1 regard to offense levels and criminal histories are complicated
2 things.

3 And so what I would urge is I would urge -- I'll be
4 honest. I'm an attorney, Mr. Cox. If I were charged with a crime,
5 I would not represent myself. Okay? I would want counsel to
6 represent me.

7 If you are insistent in wanting to represent yourself, I
8 will go forward with the litany to determine if you are competent
9 to do so, but I would urge you to rethink that.

10 Now, after my speaking to you, Mr. Cox, do you still wish
11 for me to consider whether or not to remove Ms. Dickenson or would
12 you like for Ms. Dickenson to remain as your counsel?

13 THE DEFENDANT: She can remain. I mean --

14 THE COURT: All right. I think that's the wise decision,
15 Mr. Cox, because you need to be represented by counsel.

16 Now what I'm going to do is have them mark the motion to
17 withdraw as counsel as moot. Okay? And that's going to be taken
18 off the table.

19 Now, with regard to your desire to plead guilty, the
20 Court can set you for a guilty plea hearing. But I have to consult
21 with Judge Jones. And it may very well be that he's here and he
22 will take that today or he may ask that that be taken on another
23 date.

24 Ms. Dickenson?

25 MS. DICKENSON: Your Honor, I believe Judge Jones has --

1 THE COURT: Oh, I'm sorry. Judge Jones has recused
2 himself. I apologize. Judge Jones has recused himself. So it
3 will be Judge Urbanski, who is not present today.

4 Now, if you want to take a brief recess, we can consult
5 Judge Urbanski and see if for any reason he wants to refer the
6 guilty plea to me.

7 I will just advise you, you have a right to have your
8 guilty plea, because it is a felony charge, before a district court
9 judge. And I'm the magistrate judge. If you waive that right and
10 consent, I can take the guilty plea. Okay?

11 THE DEFENDANT: Can we do that today? I mean --

12 THE COURT: Well, we can, if Judge Urbanski will allow me
13 to do that and if you are willing to waive your right. You
14 understand you have a right to have that plea hearing before the
15 district court judge?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: And I'm a magistrate judge. I'm not a
18 district court judge. You understand that, Mr. Cox?

19 THE DEFENDANT: You are still a judge.

20 THE COURT: Well, that's true. And I do have the
21 authority to take the plea, if you consent to it.

22 THE DEFENDANT: All right.

23 THE COURT: But I just have to make sure you understand
24 what your rights are.

25 THE DEFENDANT: I'd be willing to consent. I mean, I

1 just want to get this, you know, pretty much over with.

2 THE COURT: Now, the other thing I just want to say to
3 you is this. The charges against you changed recently. Additional
4 charges were added. Okay? I want to make sure that you understand
5 that you are not going to be prejudiced in any way if you take
6 additional time to consider a plea before you plead guilty. Do you
7 understand that?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Okay. But -- because, you know, you and your
10 counsel might have things you want to discuss before you enter a
11 guilty plea on those charges.

12 I will tell you this, in the end, if it is your desire to
13 enter a plea, you control the ability to do that in so long as the
14 Court decides that you are competent to do so. Okay? But there's
15 no rush about it. It doesn't have to be done today.

16 And I want to make sure you understand this, Mr. Cox,
17 even if Judge Urbanski should allow me to take your guilty plea
18 today, you won't be sentenced today. You would be sentenced in
19 about 75 days from today. So you will still be held for a while
20 here locally. Do you understand that?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: All right. Now, with me telling you all of
23 that, is it still your desire to go forward today with the guilty
24 plea to your charges?

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: All right. We're going to take just a brief
2 recess, if that fits in your schedule, ladies?

3 MS. DICKENSON: It does.

4 THE COURT: We'll take just a brief recess and see -- we
5 may not even be able to get through to Judge Urbanski, but we're
6 going to see if we can get through to him to see if he will agree
7 for me to take the plea. Okay? And if he will, then we'll go
8 forward today and I'll determine whether or not Mr. Cox is
9 competent to enter his plea today.

10 MS. DICKENSON: Thank you, Your Honor.

11 THE COURT: All right. Let's take just a brief recess.

12 (Recess at 11:28 a.m.)

13 (Call to Order of the Court at 11:51 a.m.)

14 THE COURT: All right. We're back on the record in
15 Mr. Cox's case.

16 Mr. Cox has informed the Court that he wishes to enter a
17 guilty plea -- this is without the benefit of a plea agreement --
18 to the charges he faces.

19 There's a typo on that, Ella, if you want to correct
20 that, on his name.

21 And I have consulted with Judge Urbanski's office. And
22 Judge Urbanski has advised me that if Mr. Cox is agreeable for the
23 magistrate judge to take his plea, that I may go ahead and take his
24 plea on referral. All right?

25 Mr. Cox, I'm going to allow you to remain seated while I

1 question you. I think everybody will just be a little more
2 comfortable -- you will be a little more comfortable and everybody
3 else will be a little more comfortable. So I'm going to allow
4 that.

5 Just -- before we go through -- before I have you placed
6 under oath, I just want again to advise you that the charges you
7 face -- actually, there was an indictment and then there was a
8 superseding indictment issued against you, Mr. Cox. I want to make
9 sure that you understand that all of those charges are felony
10 charges. And as we discussed just a moment ago, you do have a
11 right to have your guilty plea hearing before the district court
12 judge, Judge Urbanski, to whom this case is assigned, or you may
13 waive that right, give up that right, and I may take your plea.

14 I am a magistrate judge. And if you are agreeable to
15 waive your right to have your plea before the district court judge
16 and are agreeable to have me take your plea, then I may take your
17 plea.

18 Now, we discussed that just a moment ago. Correct,
19 Mr. Cox?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: Okay. Now, is it your desire to waive your
22 right to have your plea before the district court judge?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: I need you to answer out loud yes or no, sir.

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: You don't have to lean forward, Mr. Cox. It
2 will pick you up just fine.

3 Okay. I have a waiver form here. And I want to read
4 that waiver form to you. It has the caption of your case. And it
5 says, "Consent to allow United States Magistrate Judge to accept
6 plea."

7 It states, "The defendant in this case hereby voluntarily
8 consents to have a United States Magistrate Judge conduct a plea
9 hearing in this case. The defendant has been informed of his right
10 to enter his plea before a United States District Judge. The
11 defendant hereby waives his right to enter his plea before a United
12 States District Judge and consents to jurisdiction before the
13 United States Magistrate Judge for the purpose of entering his plea
14 and conducting a plea hearing."

15 Now, if you are agreeable to that, Mr. Cox, if you will
16 sign on the line for the defendant's signature.

17 Ms. Dickenson, if you'll sign, agreeing as counsel for
18 the defendant.

19 And Ms. Kerney-Quillen, if you'll sign indicating the
20 government's agreement.

21 (Pause.)

22 THE COURT: All right. Thank you, Mr. Cox.

23 What I'm going to do, sir, is I'm going to get you just
24 to remain seated and raise your right hand. I have got some
25 questions I need to ask you. And I'm going to have the clerk place

1 you under oath before I go forward.

2 If you'll raise your right hand, please.

3 JAMES MONROE COX, DEFENDANT, SWORN

4 THE COURT: Now, Mr. Cox, do you understand that you are
5 now under oath; and if you do not answer my questions truthfully,
6 your answers may later be used against you in another prosecution
7 for perjury or making false statements?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Now, I want to just advise you, Mr. Cox, if
10 at any time today you don't hear me, ask me to repeat myself. I'll
11 be glad to do so. If at any time you don't understand one of my
12 questions, if you ask me to clarify or explain it, I'll be glad to
13 do that. Or if at any time you believe you need additional time to
14 speak with Ms. Dickenson with regard to answering a question, if
15 you tell me that, I'll be glad to give you time to do that.

16 Do you understand all of that, sir?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: Now, Mr. Cox, would you tell me your full
19 legal name, please?

20 THE DEFENDANT: James Monroe Cox.

21 THE COURT: And how old are you, sir?

22 THE DEFENDANT: 37.

23 THE COURT: How far did you go in school?

24 THE DEFENDANT: Eleventh grade.

25 THE COURT: Have you subsequently received your GED or

1 had any additional training?

2 THE DEFENDANT: I've just been working on it, but it is a
3 slow process.

4 THE COURT: All right. Now, Mr. Cox, you have been
5 incarcerated for a period of time; is that correct?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: What charges -- I mean, I understand you have
8 these charges pending against you in this court.

9 THE DEFENDANT: Yes.

10 THE COURT: But my understanding is you are also serving
11 a state court sentence; is that correct?

12 THE DEFENDANT: Yes, ma'am, for attempted -- attempted
13 robbery on a bank with the use of a firearm. Then I had an old
14 -- old burglary back in 2000, so that I had -- for the bank -- for
15 the bank thing I had six years and nine months. And then for the
16 burglary I had four years -- four years, eleven months. So all
17 together I ended up, like, ten years -- ten years and 20 months.

18 THE COURT: Almost eleven years; correct?

19 THE DEFENDANT: Yes.

20 THE COURT: Okay.

21 THE DEFENDANT: Yes, ma'am. But I have been locked up
22 since May --

23 THE COURT: On these charges.

24 THE DEFENDANT: Well -- in federal?

25 THE COURT: In federal.

1 THE DEFENDANT: Well, the federal, I have been in
2 you-all's custody since March.

3 THE COURT: March. Okay.

4 THE DEFENDANT: But state, I was -- been locked up since
5 May, May the 22nd, 2007. That's how --

6 THE COURT: May 22nd of 2007 is when you first came into
7 state custody?

8 THE DEFENDANT: Yes, for the bank, for the bank thing. I
9 have a violation for the feds in 2009. They violated my federal
10 probation in 2009. I went in front of the U.S. District in Norfolk
11 in 2009 for violating my -- the new state charges violated my
12 -- you know, trying to rob a bank violated my probation, my federal
13 probation. So they -- they gave me -- he sentenced me to 23
14 months. But what happened was when he violated and sentenced me to
15 23 months, I had to go back in state custody to finish up the rest
16 of my state time. He said, "After you do your state time, then you
17 will go back and do 23 months for your violation."

18 THE COURT: And you haven't finished that underlying
19 state court sentence yet; correct?

20 THE DEFENDANT: My discharge date from the state is
21 January -- January 30th, 2018. So I have still got a year -- a
22 year --

23 THE COURT: And then, when you finish that, you will have
24 24 -- 23 months on your federal probation violation.

25 THE DEFENDANT: Yes, that old U.S. District in Norfolk.

1 THE COURT: What were you convicted of in the U.S.
2 District Court in Norfolk that you were on supervised release or
3 probation for?

4 THE DEFENDANT: I threatened -- I threatened to
5 assassinate George W. Bush in 2003, threatened to kill George W.
6 Bush. And the Secret Service came and pressed charges on me, the
7 Secret Service in Virginia Beach. And they did me four years
8 -- they sentenced me to four years -- four years and three months
9 for that. I got out and --

10 THE COURT: And you were out on supervised release when
11 the conduct occurred with regard to the bank robbery?

12 THE DEFENDANT: Yes, ma'am. I was -- I just got of USP
13 -- USP Terre Haute, Terre Haute, Indiana. And I just got out. And
14 I was on two years -- two years supervised -- supervised release,
15 probation, for the U.S. District in Norfolk.

16 THE COURT: All right. Now, do you read and write the
17 English language?

18 THE DEFENDANT: Yeah, ma'am. U.S. citizen. I was born
19 in Houston, Texas.

20 THE COURT: Well, but, I mean, you can be a U.S. citizen
21 and not be able to read and write. And you can even be a high
22 school graduate and not be able to. That's possible.

23 THE DEFENDANT: Well, I went eleven years -- I went to
24 eleventh grade. I mean, I was almost done with my credit. I
25 almost had my high school diploma. I just -- through the

1 circumstances, I wasn't able to complete -- I didn't drop out or
2 nothing. I just -- the circumstances were kind of rough. And so I
3 ain't had a chance to finish my high school -- high school diploma.

4 I have been working on a GED. The last time I was in
5 prison I was trying to -- I passed everything. I score high on
6 everything. Grammar and everything, I score high. It is just math
7 -- I always, you know, fail on my GED because I can't pass the
8 math. The math exams, that's the only subject I can't pass.

9 THE COURT: That would probably be my problem too,
10 Mr. Cox. I'll be honest with you.

11 Now, I want to talk to you just a little bit about your
12 psychiatric or psychological history. Okay? You did undertake a
13 psychiatric or psychological evaluation requested by this court.
14 And you underwent that evaluation earlier this year.

15 THE DEFENDANT: And Dr. Feldman, I think was her name, in
16 Miami. The FDC, I went to the FDC in Miami --

17 THE COURT: Yes, you were at the detention center in
18 Miami. And I received a report from the psychologist -- let me
19 just see -- Dr. Feldman, the psychologist who created -- who
20 conducted the evaluation.

21 Now, I have that report before me. But what I want to
22 talk to you just a little bit about is I think that you have gotten
23 some conflicting diagnoses in the past with regard to your
24 psychiatric or psychological health, your mental health.

25 You have been in mental health treatment before; is that

1 correct?

2 THE DEFENDANT: Since I was ten -- ten years old. I have
3 been going in and out since I was ten years old, and treatment and
4 stuff. I had several diagnosis and stuff since I was a kid, even
5 as an adult. But my history goes all of the way back to when I was
6 ten years old. I mean --

7 THE COURT: And I want to talk to you just a little bit
8 about that history. Back when you were ten years old, you -- I'm
9 just looking here. Just give me one moment.

10 (Pause.)

11 THE COURT: You gave a history to Dr. Feldman that you
12 had been in multiple treatment facilities between the ages of 10
13 and 17. And that is accurate? Is that a correct statement?

14 THE DEFENDANT: No. I told her I was from age 10 -- age
15 10 all of the way in my adult history, because I have been in
16 mental hospitals -- actually, I was in Maryview Mental Hospital in
17 Portsmouth, Virginia. My federal probation officer put me in the
18 mental hospital right before I got incarcerated this time --

19 THE COURT: Well, I understand you have also been in
20 mental hospitals as an adult.

21 THE DEFENDANT: Yes. I have been in several. So --

22 THE COURT: But, basically, from the age of ten you have
23 been in and out of certain treatment facilities, residential
24 programs, and group homes; correct?

25 THE DEFENDANT: Yes. And I have been civil committed as

1 an adult too several times. I have been to -- I have been civil
2 committed to the state hospital in San Antonio, Texas, to -- when I
3 was 20 something, back in 2000.

4 THE COURT: Now, the most recent diagnosis that I
5 received from Dr. Feldman is that you suffer from a couple of
6 personality disorders. But I want to know about prior diagnoses
7 you have had. You said you have been diagnosed with a number of
8 different mental health conditions. Can you tell me what you have
9 been diagnosed with in the past?

10 THE DEFENDANT: Bipolar, neurologic brain damage on the
11 left -- left side of my brain. They found that. When I was
12 younger, they did EEGs and CAT scans on my brain.

13 I suffer depression, emotional disturbed, paranoid
14 schizophrenia, all kinds of bizarre things and behaviors. Public
15 schools wouldn't accept me in Texas because I had a suicide -- I
16 had a suicide history. I have been in child protective services,
17 foster care. I was a ward of the state from 13 and a half to 17
18 and a half.

19 THE COURT: So, basically, you have had a whole spectrum
20 of different diagnoses in the past; correct?

21 THE DEFENDANT: I have been institutionalized
22 -- institutionalized most of my life too. I have been in a lot of
23 mental institutions and facilities in Texas. And, like I said, I
24 had -- my suicide history goes back since I was, like, 11 or 12.
25 Public schools wouldn't -- regular public schools in Texas wouldn't

1 accept me because my suicide history -- they wouldn't enroll me in
2 the public schools. I had to go into, like, adaptive behavior and
3 school programs like --

4 THE COURT: The -- if I may, just, Mr. Cox, the reason
5 I'm asking you questions today is I have to make a determination,
6 one, that you fully understand what you are doing and that you are
7 making the decision to plead guilty knowingly and voluntarily.
8 Okay? And the reason I bring up your prior criminal -- your prior
9 psychiatric or psychological history is this: is there is some
10 mention in your psychological history that on occasion you have
11 reported hearing voices that tell you what to do, in the past; is
12 that correct?

13 THE DEFENDANT: Ms. Feldman said that?

14 THE COURT: Yes. It says that -- that based on a review
15 of some of the records --

16 THE DEFENDANT: I don't remember saying that. I don't
17 remember telling her I heard -- heard or saw things.

18 THE COURT: Yeah. And she doesn't say that you told her
19 that. Okay? I want to be clear about that. Dr. Feldman doesn't
20 say -- she says that she has looked at some records that were
21 provided to you --

22 THE DEFENDANT: Maybe when I was younger or something.
23 But I don't -- as far as right now, at the present time, I don't --

24 THE COURT: So you don't believe you currently suffer
25 from hearing any voices of people who are not present?

1 THE DEFENDANT: Well, I ain't going to lie. Sometimes
2 -- I ain't going to lie. Sometimes I get paranoid schizophrenia.
3 I get paranoid and I think people are talking about me. But when I
4 confront people and say, "Man, did you call me this? Did you say
5 this and that," the CO say, "I never said that about you. I never
6 said nothing bad about you."

7 THE COURT: That's a lot different, Mr. Cox, that kind of
8 paranoia --

9 THE DEFENDANT: Well, no. I thought I heard them -- I
10 thought I heard them say it. I thought I heard the CO, because I
11 have got good ears. And I thought I heard the CO saying -- he's,
12 like, from where he's sitting at and where my door is at. And I
13 thought he walked away saying something about me. And when I
14 confronted the CO and I say, "Did you just call me this and that or
15 did you say this about me," and he was like, "Nah, I didn't even
16 say nothing like that." So, evidently, I must be hearing things,
17 because if somebody is swearing up and down that, "No, we're not
18 saying nothing about you. Why are you" -- I must be hearing -- I
19 ain't just paranoid. I must -- I swore up and down that I heard
20 it.

21 THE COURT: Let me ask you -- let me ask you this
22 specific question: Have you heard any voices recently telling you
23 to plead guilty to these charges?

24 THE DEFENDANT: My inner -- my inner voice. I mean --

25 THE COURT: Well, there's a difference between your

1 conscience and your thoughts and you believing that there's some
2 force outside of you --

3 THE DEFENDANT: But not a voice like yours telling me,
4 "Hey, you had better plead guilty." Not like that, no. I don't
5 think I'm that gone. I don't think I'm that gone.

6 THE COURT: Well -- and that's very important for me to
7 ask you that, sir, because, you know, I need to know --

8 THE DEFENDANT: If I was -- I would be kind of scared if
9 I was. I would be kind of worried, kind of scared there. But I
10 don't think I'm hearing like that.

11 THE COURT: And I know that you have a history of self-
12 mutilation and self-harm; is that correct?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Okay. And one of the things I want to make
15 sure, Mr. Cox, is that you are not pleading guilty because of any
16 reason other than you are guilty of the offenses and you wish to
17 plead guilty; that you have made a reasoned decision to plead
18 guilty to the charges. That's what I'm trying to ascertain.

19 THE DEFENDANT: Well, I mean, I am ashamed -- I am
20 ashamed of myself. And that's why I mutilate -- mutilate,
21 sometimes, because I'm real ashamed of myself with my past -- my
22 past history, criminal history.

23 THE COURT: But do you think that history and -- what I
24 want to try to ascertain from you, Mr. Cox, is whether, sitting
25 here today, you are pleading guilty of your own free will or you

1 feel like something about your mental health history or your
2 behavioral history is compelling you today to enter a guilty plea?

3 THE DEFENDANT: Oh, no, I strongly believe that I am
4 guilty and I should take responsibility for what I did. I mean, if
5 I did something wrong, I mean, if I committed a crime, then I want
6 to take responsibility, because I know I'm wrong. I mean, I know
7 it was against the law to write, you know, bad -- bad letters and
8 stuff, regardless of how I feel, if I'm mad at the world or
9 whatever.

10 THE COURT: Well, can you tell me -- you are charged with
11 five violations now.

12 THE DEFENDANT: Is it five different felonies or just one
13 felony or --

14 THE COURT: No, it is five different felonies, Mr. Cox,
15 that you are charged with.

16 THE DEFENDANT: Okay.

17 THE COURT: Okay?

18 You are charged with five violations of the same code
19 section. And the allegation is that you violated Title 18, United
20 States Code, Section 1114.

21 Give me just a moment. I'm making sure. I'm pretty sure
22 all four of them -- all five of them are the same charge. And they
23 are.

24 I apologize. You are alleged to have violated Title 18,
25 United States Code, Section 876(c). That's the charge.

1 Do you -- can you describe to me what you have done wrong
2 that makes you guilty of these offenses? Do you understand what is
3 alleged that you have done?

4 THE DEFENDANT: Threatened to kill -- threatened to kill
5 people and --

6 THE COURT: That you mailed letters threatening harm to
7 others.

8 THE DEFENDANT: Different -- different officials and
9 -- that's in authority. And -- it is not right. I can't say that
10 it -- I mean, I might have felt right at the time. I might have
11 felt like a righteous game in a pessimistic way. But -- but it
12 -- it was wrong, because -- I mean, I'm -- I could have been
13 scaring them. I could have been scaring some people. I could
14 have --

15 THE COURT: Well, let me ask you this: I mean, all of
16 those letters that you wrote, at the time you wrote them, did you
17 know that you should not write letters threatening to harm people?

18 THE DEFENDANT: Oh, yeah. I knew -- I knew it was wrong.
19 I know I should -- that I got an inner -- I got a good me too
20 that's telling me, "Nah, you shouldn't do that." But then I have
21 got like another personality, that is kind of evil, that is telling
22 me, "Ah, go ahead. Who cares? It is just the way you feel. Just
23 do it, I mean, if this is how you feel." And then I have got
24 another inner voice that tells me, "Nah, you are wrong. That's
25 wrong. That's not good. It is bad," or whatever.

1 THE COURT: Well, tell me today, as you sit here, do you
2 believe that you currently suffer from any type of psychological
3 symptoms or mental health symptoms?

4 THE DEFENDANT: I mean, if I do, I'm not going to use
5 that as an excuse --

6 THE COURT: Oh, I understand that.

7 THE DEFENDANT: -- a mental aid to try to help beat my
8 case or manipulate it.

9 THE COURT: But I need to know if you believe you are
10 suffering from any current mental health problem.

11 THE DEFENDANT: Too -- I'll admit, I have issues, to a
12 certain extent and degree and extent. But that's -- I mean, yeah,
13 I need counseling. I may need medication to help me function
14 normal -- help me function normal. If I ever do get back out in
15 society, I may. And I may not need medication. But --

16 THE COURT: Do you currently take any type of
17 psychological medication?

18 THE DEFENDANT: When I was at Salem, the doctor, he
19 thought I needed some. I was taking, I think, Vistaril -- Vistaril
20 and lithium for, like --

21 THE COURT: Vistaril, were you taking Vistaril?

22 THE DEFENDANT: Yes, Vistaril.

23 THE COURT: Vistaril. Okay.

24 THE DEFENDANT: Vistaril and --

25 THE COURT: Lithium.

1 THE DEFENDANT: Lithium, for anxiety, stress, depression.
2 You know, I'm taking medication for that type thing.

3 THE COURT: But when -- are you still taking those?

4 THE DEFENDANT: No, I quit, because I don't like -- I
5 don't like feeling -- I have been resisting taking -- I have been
6 told that -- I have had a lot of doctors tell me, "You need
7 medication. You have got a chemical imbalance in the brain. Your
8 brain needs a certain salt. If not, you are not functional." I
9 don't have a lot of -- and I have been civil committed a lot of
10 times too. And I have had a lot of doctors tell me that I have got
11 a chemical imbalance in the brain. But --

12 THE COURT: But none of the medications that you have
13 taken in the past have appeared to necessarily help you, have they?

14 THE DEFENDANT: The only thing that medication has done,
15 I mean, is make me feel sleepy, heavily sedated, sleepy. That's
16 why I have been resisting taking medications all of these years,
17 because I feel -- I feel abnormal. If I'm taking medications, I
18 don't feel normal, like a normal person.

19 THE COURT: Are you being held currently at the Abingdon
20 facility?

21 THE DEFENDANT: Yes.

22 THE COURT: Southwest -- how long have you been there?

23 THE DEFENDANT: A few -- a few weeks or something.

24 THE COURT: A few weeks. Okay.

25 Since you have been housed at Abingdon, you haven't taken

1 any medication?

2 THE DEFENDANT: I stopped taking it when I was at the
3 other jail --

4 THE COURT: While you were in Salem. I understood you a
5 moment ago say you stopped taking -- you stopped taking the
6 medication while you were in Salem; is that correct?

7 THE DEFENDANT: But the psych lady at the jail right now,
8 she wanted me -- she wanted me to take some. She advised me to
9 take some. But I told her I didn't need it or I didn't want it or
10 whatever.

11 THE COURT: Okay. Now, that brings me to my next
12 question. Are you receiving some psychological counseling at the
13 facility at Abingdon?

14 THE DEFENDANT: Not really, not no counseling. They
15 check on me periodically, now and then, to see if I'm -- they ask
16 me certain questions, like, you know, "Are you okay?" "Are you
17 feeling suicidal?" "Are you this and that?" I mean, I have been
18 on watch a few times there. A couple weeks ago I used my teeth to
19 -- I used my teeth to try to cut myself, my canines or whatever.

20 THE COURT: I understand that, Mr. Cox. I was told that,
21 yes.

22 THE DEFENDANT: You heard -- they told you that?

23 THE COURT: Yes, sir. Believe it or not, because I'm
24 responsible for the folks who are in custody, I usually hear if
25 there's a problem.

1 And let me ask you, can you tell me why you did that?

2 THE DEFENDANT: I was -- I just -- I get to the point
3 sometimes -- I get so stressed out. I get to the point where I'm
4 just so ashamed -- ashamed of myself that I just -- I start hurting
5 myself. And I just -- I get real depressed and -- I mean -- I
6 mean, look at the last time, when I was in Springfield, Missouri,
7 prison, I was going down the stairway, I punched through a window.
8 You know, they had the chicken wire?

9 THE COURT: Yes, sir.

10 THE DEFENDANT: That's part of the reason why they sent
11 me to a USP, because I was real violent, kind of hostile, violent
12 or whatever, aggressive. But, anyway, I was going down the
13 stairway and I punched through the -- it was like a square window
14 and it had a chicken wire going through it. And I punched through
15 it. I was so mad. And when I feel this way, I punch through
16 stuff, glass. I break things. And my arm went all of the way
17 through the window. So my arm is, like, stuck like this. And so I
18 had to extend my arm out, slowly, I had to extend it out and pull
19 it. And it hit a main artery, right here. It hit a main artery.
20 Luckily, it nicked a main artery. But I almost bled out in
21 Springfield, Missouri --

22 THE COURT: Well, let me ask you, are you taking any
23 medications currently, at all, for any health reasons or otherwise?

24 THE DEFENDANT: Well, right now I'm taking a little
25 -- some kind of aspirin or something for this, like a pain aspirin

1 or something.

2 THE COURT: Okay. Like Tylenol or something?

3 THE DEFENDANT: Yeah, something like that for --

4 THE COURT: Are you taking any type of antibiotic
5 medication to prevent infection?

6 THE DEFENDANT: Well, I was for a little bit --

7 THE COURT: But that --

8 THE DEFENDANT: They stopped that because --

9 THE COURT: Any other medications or drugs or pills in
10 the last 24 hours?

11 THE DEFENDANT: Not -- not as far as -- not as far as
12 mental health or nothing. Just --

13 THE COURT: Well, I'm asking any. Do you take --

14 THE DEFENDANT: Just for -- aspirin for the arm.

15 THE COURT: Have you been able to consume any alcohol in
16 the past 24 hours?

17 THE DEFENDANT: Oh, no, ma'am. I kind of wish I could,
18 but, on the contrary, I can't.

19 THE COURT: Well, it is not allowed in the facilities,
20 but that doesn't mean it is not available in the facilities.

21 THE DEFENDANT: Oh, well, where they got me at -- they
22 have got me in an isolated cell. So where they got me at, I'm in,
23 like, a mental health type thing, so I'm not, like, in the regular
24 population where they make hooch or wine or moonshine or whatever.

25 THE COURT: Now, we talked a lot about your mental health

1 issues. Do you have any physical health problems?

2 THE DEFENDANT: Yeah. I'm nearsighted real bad. My eyes
3 are -- my eyesight is deteriorating real bad right now.

4 THE COURT: Any other physical health problems?

5 THE DEFENDANT: My back, I got scoliosis -- what do you
6 call it, scoliosis in my back --

7 THE COURT: Scoliosis in your back?

8 THE DEFENDANT: Yes. A curve, a curve in my back. I got
9 scoliosis real bad in my back. I got real bad back pains a lot.
10 The side of my neck aches.

11 THE COURT: But you don't take any medication for that
12 other than, say, over-the-counter Tylenol or something like that?

13 THE DEFENDANT: I have been trying to talk to -- last
14 time I was -- I was in a cell, I was trying to talk to orthopedic,
15 an orthopedic doctor to see -- check my back out; you know, either
16 x-ray or check my back out. But by the time I tried to get it
17 checked out, they transferred me --

18 THE COURT: Well, there's a good chance you'll be
19 transferred back to Salem, so you'll have an opportunity to follow
20 up on that.

21 THE DEFENDANT: Because I was trying to get it checked
22 out, because it has been getting worse. I have been having real
23 bad aches, like, in my -- underneath my shoulder blades and stuff
24 and real bad aches. And it has kind of been affecting my balance a
25 little bit when I walk.

1 THE COURT: Well, make sure -- especially if you change
2 facilities, Mr. Cox, make sure you make them aware that you would
3 like to see the physician with regard to that. Okay?

4 THE DEFENDANT: Then I have real bad aches like right in
5 here. I don't know if it is -- it is right on the side of my neck.
6 I don't know if it is my optical nerve, my optical nerve or what.
7 But sometimes I get real bad aches. And I squint a lot. It might
8 -- it might be something to do with my eyes, you know, with my bad
9 vision.

10 THE COURT: Have you ever worn prescription glasses?

11 THE DEFENDANT: Oh, yeah. The last -- the last ones I
12 had, when I was at Red Onion, I used to cut myself with. I broke
13 them and I used the screws --

14 THE COURT: And so they took them away from you?

15 THE DEFENDANT: Yeah -- well, they were broken, so they
16 were confiscated, because I used them to cut -- I used the metal
17 screws to cut --

18 THE COURT: Well, that's part of the problem, Mr. Cox.
19 If you insist on continuing to harm yourself, we really can't
20 provide you with eyeglasses to help with your vision problems if
21 you are going to use that on yourself. You understand that, don't
22 you?

23 THE DEFENDANT: Oh, yeah. They told me the same thing
24 with the spoon -- right now I'm on finger food because --

25 THE COURT: Because you used the utensil to harm --

1 THE DEFENDANT: Yeah, the spork, I used the spork to cut
2 myself one time with. So they are like -- U.S. Marshals told us
3 -- that's what the psych lady told me, she said the U.S. Marshals,
4 the feds, told us not to give, you know -- for the time being --

5 THE COURT: And you understand why that has been done?

6 THE DEFENDANT: Yeah, it is for my -- they say it is for
7 my safety. But I really don't think they care, because -- I mean,
8 a couple weeks ago I used my teeth to cut myself. And I done that
9 a couple times already. I used my teeth. And then when I was in
10 the jail down there, he had me in a room without a camera and then
11 with a trash bag -- a trash bag over the window and rarely check up
12 on me. And then when I bit into myself, I was like, "Well, you-all
13 wasn't checking up on me. You are supposed to have me on 15-minute
14 watch, but you-all wasn't watching me, supervising me. You had me
15 in a cell without a camera. And you had a trash bag over the door,
16 not even" -- "over the window, obscuring the window. How is that a
17 suicide watch?"

18 THE COURT: Let me talk just a moment to you about the
19 charges in the case. Just a moment ago you told me what you had
20 done.

21 THE DEFENDANT: Sorry. I didn't mean to get all --

22 THE COURT: No. That's okay.

23 But do you believe that you have had an adequate
24 opportunity to go over the indictment, the written charges against
25 you in the case? Have you seen the superseding indictment?

1 THE DEFENDANT: Yeah. I read -- I read the motion for
2 discovery. I read -- I even read a little bit -- what she put in
3 the evaluation. You know, Brian Beck -- when Brian Beck had me, he
4 showed me the charges and the evidence.

5 THE COURT: Do you believe you have had an adequate
6 opportunity to speak with your attorney regarding the charges and
7 regarding your case in general?

8 THE DEFENDANT: Oh, of course. Of course. Of course.

9 THE COURT: Now, you are -- you have not entered into a
10 plea agreement with the government; correct? There's no plea
11 agreement in this case. You haven't signed a plea agreement with
12 the government.

13 THE DEFENDANT: Oh, no. I just want -- I just want to
14 take responsibility -- responsibility of what I did and just go
15 ahead and plead guilty, because, in fact, I'm guilty anyways,
16 because, I mean, I read the motion of discovery and evidence that
17 is brought against me. And I know I'm wrong. I know I'm wrong
18 too --

19 THE COURT: Well, I understand that, Mr. Cox. But let me
20 just ask you this: You understand that you do have the option to
21 have your attorney speak to the government and see if the
22 government is interested in entering into plea negotiations? Do
23 you understand that's an option for you in the case, that you
24 -- nobody is requiring you in any way to plead guilty at all, much
25 less without the benefit of a plea agreement? Do you understand

1 that?

2 THE DEFENDANT: Oh, yeah. Nobody is putting -- nobody is
3 putting a gun to my head saying, "You," you know, "sign this.
4 We're going to take this plea or we're going to shoot you with a 9
5 millimeter." Nobody is doing that.

6 THE COURT: Okay.

7 THE DEFENDANT: Nobody is forcing --

8 THE COURT: Well, I'm going to ask you some more
9 questions with regard to that in a moment. But I just want to make
10 sure that you understand that there are other options available,
11 including allowing your counsel to negotiate with the government
12 with regard to what might be an appropriate plea agreement in the
13 case. Do you understand that that is an option?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: And do you understand that if you didn't
16 plead guilty today, you could allow -- you would have time, prior
17 to your trial, to allow your counsel to do that? Do you understand
18 that?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: Now, apparently at some point you were in
21 some way dissatisfied or you had some concerns, because earlier
22 today you asked to withdraw a motion to have your counsel removed
23 from the case; correct?

24 THE DEFENDANT: Yes.

25 THE COURT: All right.

1 THE DEFENDANT: I don't even know her. I mean, I just
2 -- I know -- I'm aware I just got her, too. It is part of my
3 paranoia to -- because at first I didn't think she was really
4 trying to represent me to the best of her ability or, you know,
5 really cared, you know.

6 THE COURT: But I guess what I want to ask you is this:
7 Your representation by Mr. Beck and Ms. Dickenson, today, as you
8 sit here, do you -- are you dissatisfied in any way?

9 THE DEFENDANT: Nah. I'm dissatisfied with Beck, but
10 -- but I'm not --

11 THE COURT: You are not dissatisfied with Ms. Dickenson's
12 representation -- with her representation?

13 THE DEFENDANT: All she has been trying to do is help me.
14 And sometimes you -- sometimes you have got to let somebody try to
15 help -- try to help you. I mean -- and I haven't been giving -- I
16 haven't been giving her that chance.

17 THE COURT: Well, let me ask you this. Do you believe
18 -- I want to make sure that you understand that there's no rush,
19 that there's no reason you have to plead guilty today. You
20 understand that you have additional time prior to your trial and
21 that you won't be prejudiced in any way -- as long as by the time
22 of your pretrial conference, about two weeks prior to your trial,
23 if you announce at that time you are going to plead guilty, there
24 would be no prejudice to you in any way to wait? Do you understand
25 that?

1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: But it is your desire to go forward today
3 with your guilty plea?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: And you understand that's being done without
6 the benefit of a plea agreement?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Now, has anyone made any promises to you in
9 an effort to persuade you to plead guilty?

10 THE DEFENDANT: No, ma'am.

11 THE COURT: Has anyone made any threats or in any way
12 tried to force you to plead guilty?

13 THE DEFENDANT: No, ma'am.

14 THE COURT: Do you in any way feel compelled to enter a
15 guilty plea in this case, other than making your own decision that
16 that is what you would like to do to resolve these charges?

17 THE DEFENDANT: No, ma'am. I don't feel compelled.
18 Compelled means you don't feel --

19 THE COURT: That you are not making your own free
20 decision.

21 THE DEFENDANT: Nah, I just -- I feel this is the way I
22 strongly feel, that this is the right thing for me -- for me to do,
23 take --

24 THE COURT: Ms. Dickenson, let me talk to you just a
25 moment. And, you know, I have Mr. Cox's psychological report. And

1 Mr. Cox does have a lengthy history, at least, of different
2 psychological diagnoses, treatment. You know, he has exhibited
3 self-mutilating behavior in the past, even while he has been in
4 federal custody.

5 But I guess I want to speak to you just a moment. I mean
6 today, here in the court, Mr. Cox seems to me that he understands
7 the charges against him. We're going to go forward in a moment to
8 make sure he understands the consequences of pleading guilty to
9 those charges. But it seems to me that he is making the decision
10 that he wishes to enter a guilty plea without the benefit of a plea
11 agreement.

12 I guess while I -- I don't want to ask you if you have
13 concerns over his competency, because I think it would be crazy for
14 anyone to say they don't have concerns over his competency based on
15 the history. But I guess what I would just ask from you is do you
16 have any reason to suspect he's not competent to understand the
17 charges against him or the consequences of pleading guilty to those
18 charges or the nature of today's proceedings in any way?

19 MS. DICKENSON: Your Honor, in response to the Court's
20 inquiry, I do believe that Mr. Cox understands the charges against
21 him. He has reviewed the discovery. He has made references to me
22 about the contents of our discovery notebook that Mr. Beck reviewed
23 with him in months past, so I know that he has historical
24 recollection.

25 THE COURT: He seems to have a high intelligence level.

1 MS. DICKENSON: He is oriented to time and place. So I
2 do not have -- I believe that Mr. Cox is competent to proceed to
3 trial. I also believe that Mr. Cox suffers from a severe mental
4 illness.

5 THE COURT: And I know that that's a different finding
6 than held by the evaluators when he was evaluated, because,
7 basically, the evaluators basically found that -- the evaluator
8 found that he suffers from antisocial personality disorder and a
9 -- I forget the other personality disorder --

10 MS. DICKENSON: I guess the language that is important in
11 the June 16th letter from doctor -- or from the warden stating that
12 the examiner found that it is the opinion of the examiner that
13 Mr. Cox did not suffer from a mental illness, quote, that
14 interfered with his ability to appreciate the nature and quality or
15 wrongfulness of his actions.

16 So I just suppose -- I agree with that statement, in my
17 layman's --

18 THE COURT: The diagnosis was a borderline personality
19 disorder and an antisocial personality disorder. And, I mean, I
20 think personality disorders can have a significant effect on how
21 you live your life, but may not be the type of mental illness that
22 makes an individual unable to understand the nature of the
23 proceedings against him or the charges or the consequences of
24 pleading guilty to those charges. That's what I hear that you are
25 saying to the Court?

1 MS. DICKENSON: Correct, Your Honor.

2 THE DEFENDANT: I mean, Ms. Feldman, I talked to her.
3 She didn't think I was psychotic or not real severe or nothing like
4 that. I talked to her, Dr. Feldman --

5 THE COURT: Well, and her report reflects that, Mr. Cox.
6 But you have to understand my concern based on your actions at
7 least while you have been in federal custody. My concern is this,
8 that justice is done. And my concern is that a person -- I do not
9 want a person who is not guilty of the charges pleading guilty to
10 charges he's not guilty of, first and foremost. And I don't want
11 you pleading guilty for any other reason than you are making a free
12 decision, knowingly and voluntarily, to do so. I want to make sure
13 that you don't feel compelled in any way, by any of your mental
14 illness or any of your prior mental health symptoms, to do so.

15 Now, let me just -- I have a few more questions for you.
16 Okay? I want to make sure that you understand that the charges to
17 which you are pleading guilty are felonies. And if your plea is
18 accepted, you will be found guilty of those charges. And this may
19 deprive you of certain valuable civil rights, such as the right to
20 vote, to serve on a jury, to hold public office, and to possess any
21 kind of firearm. Do you understand that?

22 THE DEFENDANT: Yes, ma'am. But that only lasts for five
23 years, don't it?

24 THE COURT: No, sir, it doesn't only last for five years.
25 It would last until those rights are restored --

1 THE DEFENDANT: Ain't they like -- because I thought a
2 person has, like, a certain amount of years, clean conduct, where
3 it is cleared?

4 THE COURT: No, sir.

5 THE DEFENDANT: Five or ten years?

6 THE COURT: Once your civil liberties are removed from
7 you, you may have to petition to get them restored or they may be
8 restored. But there's no period of time after which they are
9 magically restored. And I want to make sure you understand this.

10 Your right to possess a firearm, even though you have a
11 right to petition to have that reinstated, I do not know that the
12 federal government is allowing any convicted felons a restoration
13 of their firearm rights. I have never heard of that ever being
14 allowed before. Okay?

15 THE DEFENDANT: Well, especially if I have threats -- I
16 made those kind of threats, I mean, I don't think they will trust
17 me with a gun anyway.

18 THE COURT: But I want to make sure that you understand
19 that that's one of the consequences of pleading guilty to felony
20 charges. Do you understand that?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: And do you now understand that there's no
23 period of time at which these rights would be magically restored to
24 you? To get them restored, you would have to have either a
25 presidential and/or a pardon by various state authorities,

1 governors, perhaps.

2 THE DEFENDANT: A senator?

3 THE COURT: No. In most states, if you have state
4 charges, it would take a pardon by the sitting executive, which
5 would be the governor of the state. And on federal charges, it
6 would take a pardon by the President of the United States.

7 THE DEFENDANT: Oh, to be able to vote again or --

8 THE COURT: To be able to possess a firearm again or to
9 restore any of these civil liberties, unless there could be orders
10 entered restoring your civil liberties, to allow you to vote, but
11 you might have to petition to have that done. Do you understand
12 that?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: Okay.

15 Ms. Kerney-Quillen, can you advise me? Do you have a
16 copy of the datasheet there? The charge to which -- Mr. Cox faces
17 five charges of the same offense. Do you have the maximum possible
18 penalties that may be imposed?

19 MS. KERNEY-QUILLEN: I do, Your Honor.

20 With regards to each count, it is a term of imprisonment
21 of not more than 10 years, a fine of up to \$250,000, and a term of
22 supervised release of not more than three years.

23 THE COURT: Okay.

24 Now, the maximum penalty -- you face five charges of
25 violating Title 18, United States Code, Section 860 -- I'm sorry,

1 876, I believe it is (c), 876(c). The maximum possible penalty
2 that could be imposed on each of those counts is up to 10 years'
3 imprisonment, a fine of up to \$250,000. There could be -- there
4 would be a special assessment of \$100 per count. And there could
5 be a period of supervised release of up to three years imposed on
6 each charge. Do you understand the maximum penalties?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: I want to make sure that with regard to the
9 supervised release that you understand that that is a period of
10 supervision that would follow any term of imprisonment.

11 You have been on supervised release before; correct?

12 THE DEFENDANT: Oh, one minute. You said that for these
13 five felonies that I could get no more than 10 years or --

14 THE COURT: You could get no more than 10 years on each
15 charge. So it could be possible that you could get up to 50 years
16 in prison total, because you are charged with five counts.

17 THE DEFENDANT: Oh, okay. I thought -- I thought -- five
18 felonies, I thought it was just 10, 10 for --

19 THE COURT: It could be up to 10 years on each count. Do
20 you understand that?

21 THE DEFENDANT: Oh, okay. Different felonies. Okay. It
22 is five different felonies.

23 THE COURT: Yes, sir. Five different felony counts.

24 THE DEFENDANT: Oh. For each one they could hit me with
25 10 years, if they wanted to?

1 THE COURT: It is possible. And I have to make sure that
2 you understand that that is the maximum possible penalties. Do you
3 understand that?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Now, I want to talk to you about supervised
6 release. You have been on a term of supervised release in federal
7 court before; correct?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: And you understand that that is a period of
10 supervision that would be imposed after you served any term of
11 incarceration that may be imposed? Do you understand that?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Do you further understand that if you were to
14 violate any terms of your supervised release, the court could
15 revoke that period of supervision and could incarcerate you to an
16 additional period regardless of how much time may have been served
17 previously? Do you understand that?

18 THE DEFENDANT: Are you talking about the time -- the
19 time that is over my head, the time that would be over my head --

20 THE COURT: For instance.

21 THE DEFENDANT: -- probation --

22 THE COURT: -- in this case, if the judge were to
23 sentence you, let's say, to 10 years' imprisonment and a term of
24 three years supervised release, do you understand that it could be
25 possible -- if you finished your term of imprisonment, you were

1 released on supervised release, but you violated a condition of
2 your supervised release, do you understand that it could be
3 possible for the judge to impose an additional prison term on you
4 as a result of a violation of your supervised release?

5 THE DEFENDANT: That's what happened last time.

6 THE COURT: Exactly.

7 THE DEFENDANT: I was on two years' supervised --

8 THE COURT: And I want to make sure that you understand
9 that that could be done again. Do you understand that?

10 THE DEFENDANT: So if you have got 20 years over my head,
11 supervised, and I violated, because I violated on purpose or
12 whatever -- say I go out there and -- like I did last time and
13 commit a new crime or whatever, that they can give me 20 years --

14 THE COURT: Or they can --

15 THE DEFENDANT: -- that is over my head or --

16 THE COURT: You need to understand that in federal court
17 you won't have a suspended sentence like you might have gotten in
18 state court.

19 THE DEFENDANT: Well, no, the two years that I had on my
20 federal probation -- I had two years over my head. The last time I
21 got out I had two years. And when I violated, they gave me -- they
22 gave me the two years that I had on supervised release --

23 THE COURT: Yes. And I want to make sure you understand
24 that that could be done again.

25 THE DEFENDANT: Yes, ma'am.

1 THE COURT: Do you understand that?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Now, do you believe, Mr. Cox, that you
4 understand all of the possible consequences of your plea?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: Have you and Ms. Dickenson talked about the
7 sentencing guidelines and their effect on any sentence that may be
8 imposed in your case?

9 MS. DICKENSON: Your Honor, I have not discussed the
10 sentencing guidelines with Mr. Cox. I believe Mr. Beck had
11 considerable negotiations --

12 THE COURT: Talked about that --

13 MS. DICKENSON: -- excuse me, a long conversation with
14 Mr. Cox about the sentencing guidelines during the time of the
15 negotiations previously regarding a proposed plea agreement.

16 THE COURT: Is that correct, Mr. Cox?

17 THE DEFENDANT: Yes, ma'am.

18 THE COURT: You and Mr. Beck spoke about them?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: Do you understand that what normally occurs
21 under the sentencing guidelines is the judge must select a sentence
22 from within a guideline range, and that that guideline range will
23 not even be determined until after a presentence report has been
24 completed and a sentencing hearing is held? Do you understand that
25 only then will the judge actually determine what the guideline

1 range should be?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: Do you further understand that once the
4 guideline range is determined, that the judge has the authority in
5 some circumstances to depart from the guidelines and impose a
6 sentence that is either less severe or more severe than that called
7 for by the guidelines?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: And do you further understand that the
10 sentencing guidelines are no longer mandatory and the judge --
11 after considering the guidelines and considering the factors listed
12 under Title 18, United States Code, Section 3553(a), that the judge
13 may sentence outside the guidelines and up to the statutory maximum
14 penalties that I advised you of earlier?

15 THE DEFENDANT: Yes, ma'am.

16 It is like vice versa. He can either give me more
17 -- more time or less. It is pretty much up to the judge.

18 THE COURT: In essence, the judge may sentence you
19 anywhere up to the statutory maximum penalties; you understand
20 that?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: Do you understand that parole has been
23 abolished and that if you are sentenced to prison, you will serve
24 your full term of imprisonment, less any credit the Bureau of
25 Prisons may give you for good time or for good behavior?

1 THE DEFENDANT: That's what they did the last time. But
2 they still got -- they still got a mandatory probation, supervised
3 -- under the new law, they have still got --

4 THE COURT: Well, they have supervised release, is what
5 we call it now. We no longer call it parole. You are released on
6 supervised release. That's why I went over that with you a moment
7 ago.

8 THE DEFENDANT: That's what they did the last time with
9 me.

10 THE COURT: Do you understand that any sentence that may
11 be imposed by Judge Urbanski in this case may be different from any
12 estimate your attorneys have given you, any estimate the attorney
13 for the government may have given you, or even any estimate that
14 may have been given to you by the United States Probation Office?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Do you understand that sentencing rests in
17 the sole discretion of the district court judge? You understand
18 that?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: I want to make sure that you understand that
21 you are waiving or giving up a number of rights by pleading guilty.
22 I want you to understand that you have the right to plead not
23 guilty. You have the right to persist in that plea. You have a
24 right to go to a trial by a jury. At that trial you would be
25 presumed innocent and the government would have to prove your guilt

1 beyond a reasonable doubt. You would have the right to have the
2 assistance of your counsel at trial. You would have the right to
3 see, hear, and have your counsel cross-examine any of the
4 government's witnesses. You would have a right to testify
5 yourself, if you chose to do so. You would have the right to call
6 witnesses to testify in your behalf. And if those witnesses did
7 not appear, you would have the right to have the court compel them
8 to appear by the issuance of subpoenas.

9 You would further have the right, if you chose not to do
10 so, not to testify. And that's an absolute right. No one can
11 force you to testify. And the fact that you did not testify or the
12 fact that you did not put on any evidence could not be used against
13 you.

14 Now, do you understand, Mr. Cox, that you have these
15 rights?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: And do you further understand, by entering a
18 plea of guilty, that you are waiving your right to trial and all of
19 these rights associated with your right to trial?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: Ms. Kerney-Quillen, would you like to
22 -- would you like to proffer the evidence the government would show
23 if the case went to trial, so I can make sure there's an adequate
24 basis in fact to support the charges against Mr. Cox?

25 MS. KERNEY-QUILLEN: Yes, Your Honor.

1 Your Honor, in this case Mr. Cox was an inmate who was
2 serving a state sentence at Red Onion State Prison, in Wise County,
3 Virginia, which is in the Western District of Virginia.

4 During the period of time from 2003 until October 26th,
5 2015, Mr. Cox mailed three threatening letters to federal judges
6 and prosecutors in Virginia, Missouri, and Texas.

7 THE COURT: Ms. Kerney-Quillen, I think you stated 2003.
8 But that was between the period of 2013 and 2015; is that correct?

9 MS. KERNEY-QUILLEN: That is correct, Your Honor. Yes.
10 I apologize.

11 THE COURT: That's fine.

12 MS. KERNEY-QUILLEN: Thank you for catching that, Your
13 Honor.

14 There was a 2003 letter that he wrote, but he was
15 previously prosecuted for that in the Eastern District of Virginia.
16 And that was the letter that Mr. Cox referenced a little earlier
17 with regards to threatening former President Bush.

18 The letters that Mr. Cox wrote that are the subject of
19 this prosecution are between August the 30th of 2013 to October
20 22nd of 2015 for the first batch of letters. And those three
21 letters did contain threats to prosecutors and United States judges
22 in Texas, Missouri, and Virginia.

23 The first letter, which was received in the Houston
24 United States Federal District Court clerk's office on August the
25 30th, 2013, was addressed to judges and prosecutors. Although no

1 specific individuals were named, the letter did state that -- he
2 did make reference to these threats to judges and prosecutors five
3 times within that letter. The letter threatens to kill judges and
4 prosecutors and to blow up the court building. The letter was also
5 covered in a substance that appeared to be blood.

6 The letter -- I will not read it in its entirety, Your
7 Honor, but it just states -- portions of it state, "I'm coming for
8 all of you judges and prosecutors. I'm going to blow you up. I'm
9 going to blow your houses up. I'm going to blow your courthouse
10 up. I'm going to kill you. I'm going to do this for what you have
11 done for locking up Americans. It is judgment day for you. All
12 hell is going to break loose. Sincerely, James Cox."

13 The next letter was postmarked April the 29th, 2015. And
14 it was addressed to the Honorable Nanette Laughrey, United States
15 Judge for the United States District Court for the Western District
16 of Missouri. That letter did specifically address a specific
17 individual, Judge Nanette Laughrey. The letter makes numerous
18 threats to rape and kill Judge Laughrey. And the letter is not
19 signed. But the return address on that envelope listed James Cox,
20 inmate number 1066187, Red Onion State Prison.

21 The next letter was postmarked October the 22nd, 2015.
22 And the envelope was addressed to the United States District Court
23 for the Eastern District of Virginia. The letter was not addressed
24 to any specific judge, but it opened with a statement, "I'm sitting
25 here premeditating how I'm going to kill you judges when I get

1 out." That letter made numerous threats, again, to kill, rape, and
2 sodomize judges in explicit detail. And the judge -- the letter
3 did make specific reference to judges twice throughout the letter.

4 The defendant's letter from that date states that he's
5 going to shoot the judges, take a knife and peel their faces off,
6 make masks out of their faces, pluck out their eyes, drink their
7 blood, conduct a human sacrifice, and other references to how he's
8 going to kill, rape, and sodomize those judges. That letter was
9 signed by James Cox. And it included Mr. Cox's DOC inmate number,
10 1066187.

11 Following the receipt of those letters, on November the
12 10th, 2015, FBI Special Agent Paul Gray interviewed Mr. Cox at Red
13 Onion State Prison in Pound, Virginia, along with Virginia
14 Department of Corrections Investigator Jessie Wagner. The
15 interview was audio-recorded. And a copy was provided to defense
16 counsel along with discovery.

17 In that interview Mr. Cox was *Mirandized* and agreed to
18 waive his *Miranda* rights and speak with the officers.

19 Agent Gray showed Mr. Cox each of the three letters. And
20 Mr. Cox admitted that he had written each of the letters.

21 With regards to the first letter, in 2013, Mr. Cox stated
22 that he had put drops of his own blood on that letter prior to
23 placing it in the mail, and that he had done so because it felt
24 good when he put the blood on the letter and that it was a
25 fascinating and emotional release for him to do so.

1 In addition to admitting that he wrote each letter,
2 Mr. Cox stated that he has homicidal feelings towards each letter's
3 recipients. He advised that he meant what he wrote in the letters
4 concerning killing the recipients and that he has ill feelings and
5 homicidal feelings and will probably carry out the killings of the
6 officials he described in the letters. He also added that he has
7 thoughts of killing his own family members when he's released from
8 prison, as he has a lot of anger and bitterness.

9 Mr. Cox again elaborated on his continued anger towards
10 President Bush and that he still has intentions to kill former
11 President Bush. And he noted that President Bush currently has
12 less security and that he will be easier to kill now.

13 Mr. Cox added that he has these homicidal thoughts
14 further caused from his childhood and that he has previously had
15 homicidal tendencies towards his family, including a desire to stab
16 his family to death and cut their hearts out while they were
17 sleeping.

18 Despite these thoughts and the elaboration that he made
19 with regards to his homicidal tendencies, Mr. Cox told the officers
20 that he is tired, but not crazy, and reiterated that his feelings
21 towards the letters -- the people in the letters is not going to
22 change and that he still plans to carry out his plans to kill these
23 individuals should he be released from prison.

24 After Mr. Cox was indicted on these charges with regards
25 to the first three letters, two additional letters postmarked June

1 the 6th, 2016, were sent to counsel for the defendant and the
2 United States Attorney's Office by the United States District Court
3 clerk's office for the Western District of Virginia. Those were
4 received via email on June the 8th, 2016. These letters were then
5 forwarded to the FBI. The two new letters were postmarked June the
6 6th, 2016.

7 The first was an envelope addressed to United States
8 District Court with a letter inside that was addressed to Judge
9 James Jones. The letter contained numerous threats to kill Judge
10 James Jones as well as Donald Trump. And that letter, in addition
11 to making these numerous threats to kill Judge Jones and Donald
12 Trump, is signed by James Cox. And it was stamped on the back that
13 it had been mailed from the Southwest Virginia Regional Jail.

14 The second letter was also postmarked June the 6th, 2016.
15 It was also in an envelope addressed to the United States District
16 Court, containing a letter inside addressed to Judge James Jones.
17 That letter also made threats to kill Judge Jones. In addition,
18 that letter states that Mr. Cox plans to collaborate and conspire
19 with his ISIS Muslim brothers to blow up Judge Jones' house and
20 further elaborates as to how he's going to kill and dismember Judge
21 Jones' body. That letter, again, was signed by James Cox and it
22 was stamped that it had been mailed from the Southwest Virginia
23 Regional Jail.

24 Following receipt of these letters, Special Agent Gray
25 again interviewed Mr. Cox, along with Deputy U.S. Marshal Jim

1 Satterwhite on June the 8th, 2016. Mr. Cox was again *Mirandized*
2 and agreed to speak with the officers concerning the two additional
3 letters written in 2016.

4 Mr. Cox admitted that he had written both of those
5 letters. He advised that he wrote the first letter containing the
6 threats to Judge Jones and Donald Trump on Friday, June the 3rd,
7 2016, and that he had written the second letter on June the 5th,
8 2016. He admitted that he had placed both letters into the
9 outgoing United States Mail at the jail where he's incarcerated,
10 that he had signed both letters. And he identified his signature
11 on both of those letters.

12 Mr. Cox again advised both of the officers that he wrote
13 the letters because of his depression and sadness and release of
14 emotions, yet he advised that he did plan to carry out his
15 homicidal thoughts and tendencies and that he meant what he said in
16 each of the letters containing threats to Judge Jones and Donald
17 Trump. He did state that he advised he would kill Judge Jones and
18 Donald Trump if he is released from prison.

19 Your Honor, all of the individuals who are identified by
20 Mr. Cox in these five letters, the judges and prosecutors, are all
21 -- they are all officials who are covered under United States Code,
22 Section -- 18, United States Code, Section 1114. They are either a
23 United States judge or federal law enforcement official or other
24 official otherwise covered under United States Code, Section 18
25 -- 18 USC Section 1114. And, again, all five of these letters were

1 written within the Western District of Virginia. And Mr. Cox did
2 admit that he wrote each of the letters.

3 THE COURT: All right. Thank you.

4 MS. KERNEY-QUILLEN: Thank you, Your Honor.

5 THE COURT: Mr. Cox, let me ask you. You have heard the
6 facts that the government says it could prove if the case went to
7 trial. Do you have any dispute with those facts, sir?

8 THE DEFENDANT: No, ma'am.

9 THE COURT: Then let me ask you at this time, how do you
10 wish to plead to the charges contained in Counts One through Five
11 of the superseding indictment: guilty or not guilty?

12 THE DEFENDANT: Guilty.

13 THE COURT: Anything further, counsel, in deciding
14 whether or not to accept the plea?

15 MS. KERNEY-QUILLEN: No, Your Honor.

16 MS. DICKENSON: No, Your Honor.

17 THE COURT: Mr. Cox, based on what I have heard, sir, I'm
18 going to accept your guilty pleas and recommend that the Court find
19 you guilty of these offenses. I find that you are competent and
20 capable of entering an informed plea, you are doing so knowingly
21 and voluntarily, and that the pleas are supported by an independent
22 basis in fact. So I'm going to accept your pleas and find you
23 -- and recommend that the Court find you guilty of the offenses.

24 Now, as I stated, a presentence report will be prepared
25 by the probation office to assist Judge Urbanski in sentencing.

1 You will be asked to give information for that report. And you may
2 do so with the presence of your attorney or you may waive the
3 presence of your attorney. Okay? Once the report has been
4 prepared, a copy will be provided to Ms. Dickenson. She'll come
5 and go over the report with you. And you'll have an opportunity to
6 file any objections to any of the information contained in the
7 report.

8 Any objections, of course, counsel, should be filed in
9 writing to the officer who prepared the report within 14 days after
10 receiving the report.

11 Before we started the guilty plea colloquy counsel
12 consulted with the clerk and have agreed to a sentencing date and
13 time of November 18th. That will be at 2:00 p.m. before Judge
14 Urbanski in Roanoke.

15 Now, Mr. Cox, do you have any questions for the Court?

16 THE DEFENDANT: No, ma'am.

17 THE COURT: All right. Mr. Cox, you'll continue to be
18 held. You'll be brought back before Judge Urbanski on November the
19 18th. At that date and time you'll be sentenced on the charges.
20 Okay?

21 Counsel, do you know of anything further we need to take
22 up?

23 MS. KERNEY-QUILLEN: No, Your Honor.

24 MS. DICKENSON: Your Honor, there are two matters.

25 One, I understand that there was a presentence report

1 prepared for Mr. Cox in the Eastern District of Virginia. I would
2 ask that the Court allow counsel to have a copy of that from
3 probation.

4 THE COURT: I will. And I'll enter an oral order
5 allowing counsel to have -- if I haven't done that already, but I
6 will allow counsel -- I will allow the probation office, if they
7 have it, to provide that to counsel for the government as well as
8 counsel for the defense. And that's the Federal Probation Office,
9 the Eastern District of Virginia, for his earlier Eastern District
10 of Virginia conviction.

11 And, now, is there something else?

12 MS. DICKENSON: Yes, Your Honor.

13 Secondly, I would ask the Court direct or order the
14 Marshals Service to inform the local jail facilities where Mr. Cox
15 is held that Mr. Cox should not have access to outgoing mail or
16 stamps except to write to me. The reason, Your Honor, is that
17 Mr. Cox has a propensity to write letters that he should not. And
18 I believe that it is in his best interest.

19 I have consulted with Mr. Cox regarding that request.
20 And he concurs that it is appropriate that he not have access to
21 stamps and outgoing mail while he's in custody.

22 THE COURT: Well, Ms. Dickenson, the only thing that
23 concerns me about that is that is greatly inhibiting his First
24 Amendment rights. It is not that I disagree with you that it is in
25 his best interest that he not have access to both.

1 What I would prefer -- how I would prefer that we handle
2 this, Mr. Cox, is that it be noted that you are requesting that you
3 not have access to those. Are you requesting that you not have
4 access to stamps to mail additional mail except for legal mail
5 coming to your counsel?

6 THE DEFENDANT: I really -- I really don't agree with
7 that 100 percent, I mean, to be honest with you. I just -- I just
8 -- in all reality, I have just got to quit writing these letters
9 before I get myself in more and more trouble, because, I mean --

10 THE COURT: That's true. That's true, Mr. Cox. You do
11 need to quit writing these letters.

12 But, Ms. Dickenson, I think that's fairly drastic. And
13 I'm not inclined to grant that. Now, I'm not going to tell you
14 Judge Urbanski wouldn't, if you addressed it to him. But I'm not
15 inclined to order that, just because, you know, I could see there
16 are so many legitimate uses for him to perhaps contact friends or
17 family or even the court. You know, he has a right to write the
18 court, even though he's represented.

19 MS. DICKENSON: And, Your Honor, my thought was that any
20 letters that he would direct towards friends or family could be
21 forwarded to me and I would mail those, should they be appropriate.

22 THE COURT: Well, actually --

23 THE DEFENDANT: That is a good idea --

24 THE COURT: Mr. Cox, just one moment.

25 Actually, Ms. Dickenson, that actually is a violation of

1 federal law to do that. And I discovered that years ago when I had
2 a client who was in custody who asked me to do that. Supposedly,
3 for an inmate to basically direct mail to someone else to mail, it
4 can expose the inmate to additional charges.

5 I understand your concern --

6 MS. DICKENSON: Your Honor, I --

7 THE COURT: And, Mr. Cox, you know you don't need to
8 write any more of these letters.

9 THE DEFENDANT: Exactly. I know right and wrong. All I
10 would say is -- yeah, because my family writes -- also, if somebody
11 in my family writes me, and then I ain't able to write them
12 because --

13 THE COURT: Well, Mr. Cox, I'm not inclined to grant that
14 motion. So I'm not going to deny you access -- if you have money,
15 I'm not going to deny you access to stamps or writing.

16 But, you know, sir, you know -- you are an intelligent
17 man. I can tell from speaking to you, Mr. Cox, you are an
18 intelligent man. I don't know fully exactly what you are having to
19 deal with emotionally and mentally. But it is of no benefit to you
20 to write any of these letters -- any additional letters like this
21 to anyone. Okay?

22 If you need mental health counseling, Mr. Cox, please
23 speak to a qualified mental health professional at the facility.
24 And, you know, get some counseling. They will spend time with you.
25 But you will have to request it.

1 THE DEFENDANT: Jim told me -- Jim told me -- he said I
2 get the urge or tendency -- urge to write one of those little page
3 of letters, write him. He told me. He said write him.

4 MS. DICKENSON: And I object to that, Your Honor.

5 THE COURT: You need to understand, Mr. Cox, that if you
6 do that, you could get charged with writing that to
7 Mr. Satterwhite.

8 THE DEFENDANT: Well, he told me he wouldn't --

9 THE COURT: I know he said he wouldn't. But that doesn't
10 rest in his discretion to do that. Okay? That would be in the
11 discretion of the U.S. Attorney's Office.

12 There -- you know, if you get a desire to write things
13 like this, write it down and destroy it. The crime occurs when you
14 mail them. Do you understand that?

15 THE DEFENDANT: Like a journal, a diary or something?

16 MS. DICKENSON: May I interrupt? Mr. Cox does not have
17 funds of his own. He is using free postage to mail these letters,
18 which then consequent the charges that are -- result in the charges
19 that are brought against him.

20 THE COURT: And of course he gets that postage because he
21 marks them as legal mail.

22 MS. DICKENSON: Legal mail.

23 THE COURT: Mr. Cox, you know, there's only so much I can
24 do to protect you from yourself. Okay? It is not wise for you to
25 continue to do this. I don't know why you do it. If you do it for

1 the purpose which I suspect you might, in that you wish to be
2 incarcerated further, you have accomplished that. There's nothing
3 to be done by writing an additional letter at this point, Mr. Cox.
4 Okay? But I'm not going to -- I'm not going to grant counsel's
5 motion, because I think that would deprive you of other rights --

6 THE DEFENDANT: Yeah, I was kind of thinking if somebody
7 in my family writes me, then I won't be able to write them --

8 THE COURT: I understand. And I'm not going to impose
9 any order on you that you can't do that. Okay, Mr. Cox?

10 THE DEFENDANT: But if I try to -- you know, because
11 -- not to try -- not to, because it is only getting me more and
12 more --

13 THE COURT: Getting you in more trouble. And you are a
14 smart enough man that you recognize that.

15 Now, the question is, Mr. Cox, is you have got to decide
16 whether you can control your actions or not. Okay?

17 MS. DICKENSON: Your Honor, I will give notice to the
18 prosecution and the Marshals Service that I intend to correspond
19 with the jails where Mr. Cox will be held, to advise them that I'm
20 requesting that he not be granted privileges for legal mail that --

21 THE COURT: And if the jail -- if they choose to do that,
22 I'm not going to bind them not to. I'm just not going to order it.

23 MS. DICKENSON: I understand. I understand the Court's
24 concerns. And I appreciate that.

25 THE COURT: I have great concerns. I know exactly why

1 you are doing what you are doing. And I agree with you it is in
2 his best interest that he doesn't. But I just think that's a far
3 -- that's a really broad order for a court to enter. And I'm not
4 inclined to enter that.

5 THE DEFENDANT: Well, the FCC in Miami, they kind of
6 monitor. They monitor mail when it is going out, like, certain
7 investigator or whatever. They kind of -- they monitor it. And I
8 know -- I remember when I was at the FDC, not just me, but anybody,
9 they couldn't seal it -- they couldn't seal it all of the way up.
10 You had to leave it open before they processed it through the --

11 THE COURT: Yeah, but I'm not going to enter an order
12 with regard to that, Mr. Cox. Okay?

13 Anything further?

14 MS. DICKENSON: No, Your Honor. I thank the Court for
15 its patience today in taking the pleas.

16 THE COURT: Well, you know, my concern was to make sure
17 that Mr. Cox understands fully what he's doing. And I feel like he
18 does.

19 Mr. Cox, I wish you the best. The one thing I want to
20 say to you, Mr. Cox, is your self-mutilation, there's nothing to be
21 accomplished by that, sir. Nothing. Okay? If you believe
22 counseling will help you, ask for that at the facility. You are
23 likely to be transferred back to Salem to be held. Ask for that.
24 They will provide you with that. Okay?

25 All right. If there's nothing further, the court will

1 stand in recess.

2 (Thereupon, these proceedings were adjourned at 1:03 p.m.)
3
4

5 I, court-approved transcriber, certify that the foregoing is a
6 correct transcript from the official electronic sound recording of
7 the proceedings in the above-entitled matter.
8

9
10 /s/ Carol Jacobs White March 21, 2017
Signature of Approved Transcriber Date